

BILL NO. X-70-09-24

ANNEXATION ORDINANCE NO. X-37-70

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:


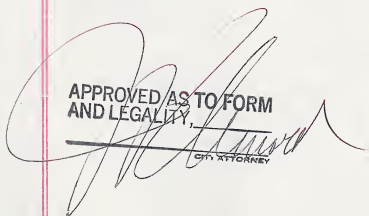
SECTION 1. That the following described territory be, and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Beginning at the point of intersection of the West right-of-way line of Ardmore Avenue and the North right-of-way line of Lower Huntington Road; thence Northerly along said West right-of-way of Ardmore Avenue as it existed on September 13, 1967, to the intersection of the South right-of-way line of Sand Point Road; thence Westerly along said Southerly right-of-way line of Sand Point Road to the point where it runs North and South; thence Southerly along the Easterly right-of-way line of Sand Point Road to the point where it runs East and West; thence Westerly along the Southerly right-of-way line to its intersection with the West line of the East one-half, of Section 29, Township 30 North, Range 12 East; thence South along said West line of the East one-half of Section 29, Township 30 North, Range 12 East, to its intersection with the North right-of-way line of Lower Huntington Road; thence East along said North right-of-way line of Lower Huntington Road to its point of intersection with the West right-of-way line of Ardmore Avenue, said point being the point of beginning, containing 302± acres, more or less.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code

of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.

A handwritten signature in blue ink, appearing to read "Gregory J. Korman", is written over a horizontal line.A large, stylized handwritten signature in blue ink is written over the text "APPROVED AS TO FORM AND LEGALITY, CITY ATTORNEY".

APPROVED AS TO FORM  
AND LEGALITY,  
CITY ATTORNEY

Read the first time in full and on motion by Rousseau seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) Annexation (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~ the \_\_\_\_\_ day of \_\_\_\_\_ 196\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., E.S.T.

Date: 9-22-70

Frank H. Bonachoon  
City Clerk

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage.

Passed (~~last~~) by the following vote:

AYES	<u>7</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	<u>2</u>	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	<u>✓</u>	
Fay	_____	_____	_____	_____	_____	_____	_____	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Robinson	_____	_____	_____	_____	_____	_____	<u>✓</u>	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 9-12-15-70

Frank H. Bonachoon  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~)(General)(Annexation)(~~Special~~)(~~Appropriation~~) Ordinance (~~Resolution~~) No. X 37-70 on the 15<sup>th</sup> day of December, 1970.

ATTEST:

(SEAL)

Frank H. Bonachoon  
City Clerk

Herbert D. Tipton  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16<sup>th</sup> day of December, 1970 at the hour of 8:30 o'clock P.M., E.S.T.

Frank H. Bonachoon  
City Clerk

Approved and signed by me this 27<sup>th</sup> day of December, 1970, at the hour of 4:08 o'clock P.M., E.S.T.

Harold S. Zeis  
Mayor



Bill No. X-70-09-24

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance  
annexing certain territory to the City of Fort Wayne, and including the same in  
Councilmanic District No. 4,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

WILLIAM K. GEAKE, Vice-Chairman

JACK K. DUNIFON

JOHN NUCKOLS

JOHN H. ROBINSON

*Edwin J. Rousseau*  
*William K. Geake*  
*Jack K. Dunifon*  
*John Nuckols*

CONCURRED IN

DATE 12-15-70 RUAD G. BONAHOOM, CITY CLERK

## COMMITTEE REPORT

### ANNEXATION ORDINANCE NO. X-70-09-24

After reviewing the Annexation Report, it is the opinion of this Committee that that area proposed to be annexed by Bill No. X-70-09-24 does meet the criteria for annexation as follows:

1. THE AREA PROPOSED FOR ANNEXATION MUST HAVE AT LEAST ONE-EIGHTH (1/8) OF THE AGGREGATE EXTERNAL BOUNDARIES COINCIDE WITH THE BOUNDARIES OF THE ANNEXING CITY:

The area proposed for annexation is contiguous to the city limits by at least thirty percent (30%) of its aggregate external boundaries.

2. THE AREA PROPOSED FOR ANNEXATION MUST HAVE A UNITY OF INTEREST WITH THE MUNICIPALITY:

This area is occupied by industrial and institutional land uses and also has City services presently being supplied. Therefore a unity of interest does exist.

3. THE CITY MUST DESIRE TO ANNEX THE AREA:

If the Council, being the Legislative Branch, and the Mayor, being the head of the Administrative Branch, pass and approve the annexation ordinance annexing this area, it would certainly indicate that the City desires to annex the area.

4. THE ADVANTAGES TO THE AREA PROPOSED FOR ANNEXATION MUST OUTWEIGH THE DISADVANTAGES:

The only disadvantage to the annexation would be from the standpoint of taxes. All of the advantages of annexation such as City services received for the increased taxes would outweigh the disadvantages. Also, the lower fire insurance rate would benefit the Fort Wayne Community School System.

5. THE ADVANTAGES TO THE CITY MUST OUTWEIGH THE DISADVANTAGES:

The advantages to the City would outweigh the disadvantages in that the City would be continuing to realize a normal, active growth from the standpoint that development will take place around the City, whether the City wants it or not. The only complications that might arise are when the areas around the City either incorporate as separate communities or maintain an independent status and thereby prohibit the natural growth and expansion of the City proper.

6. THE DEFICIT OF INCOME AGAINST EXPENSE TO THE CITY MUST NOT BE UNREASONABLE:

The net annual deficit to the City would be approximately \$10,341.00. It was felt by this committee that this deficit would not be unreasonable.

7. THE CITY HAS DEVELOPED A FISCAL PLAN TO FURNISH THE TERRITORY WITHIN A PERIOD OF THREE (3) YEARS, GOVERNMENTAL AND PROPRIETARY SERVICES:

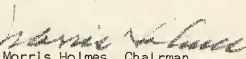
At the present time the city has developed a plan to furnish all newly annexed territories with governmental and proprietary services immediately.

8. THAT THE RESIDENT POPULATION IS EQUAL TO AT LEAST THREE (3) PERSONS PER ACRE, OR  
THAT THE LAND IS ZONED FOR COMMERCIAL, BUSINESS OR INDUSTRIAL USES, OR  
THAT SIXTY PERCENT (60%) OF THE LAND IS SUBDIVIDED.

With the exception of the high school at the northern portion of this area, all the land is presently being used for industrial purposes.

Based upon the above reasoning, it is the recommendation of this Committee that the area proposed for annexation by Bill No. X-70-09-24 does meet the criteria for annexation and therefore, should be returned to the Common Council with the recommendation that it DO PASS. It is further recommended that this ordinance be enacted so as to become effective as soon as possible.

Respectfully submitted,

  
Morris Holmes, Chairman  
Annexation Committee

LOCATION: A rectangular area bounded by Sand Point Road on the North, Ardmore Avenue on the East and Lower Huntington Road on the South.

SIZE: Approximately 302 acres or .47 square mile.

POPULATION: Assuming a population of 3.5 persons per dwelling unit, the estimated population is 35 persons.

BUILDINGS:

<u>TYPE</u>	<u>NUMBER</u>	<u>CONDITION</u>
Residential	10	Fair - Good
Institutional	1	Fair - Good
Industrial	*	Fair - Good

\* This area is predominatly occupied by a sand and gravel operation.

STREETS & ROADS: None

ZONING: Of the net area, 20% is zoned "RA" - Suburban Residential A, 6% is zoned "RB" - Suburban Residential B, and 74% is zoned "M3" Heavy Industrial.

LAND USE:

<u>Type</u>	<u>Present Occupancy</u>	
	<u>Acres</u>	<u>%</u>
Residential	3.71	.5
Institutional	24.09	8.0
Industrial	160.0	53.5
Vacant	<u>114.2</u>	<u>38.0</u>
	302.	100.0

URBAN SERVICES:

SEWER: There are existing sanitary sewers in Ardmore Avenue serving Elmhurst High School and the new industrial complex located between Ardmore Avenue and the Fairfield Ditch. These sewers are of adequate size and capacity to accomodate extensions to the remainder of the area.



WATER: There is an existing 12" water main on the eastern boundary of this area. This main is of adequate size to accomodate extensions to the remainder of the area.

POLICE PROTECTION: Based on a cost of \$12.50 per person, it would cost approximately \$437.50 to provide this service.

FIRE PROTECTION: Based on a cost of \$33,044.00 per square mile, it would cost approximately \$15,530.00 to provide this service.

FIRE ALARM BOXES: This size area would require 5 alarm boxes at a cost of \$2,500.00 plus a yearly maintenance cost of \$250.00

STREETS: None

STREET LIGHTING: This area would require approximately 6 street lights at a cost of approximately \$1,500.00.

GARBAGE COLLECTION: This area contains 10 dwelling units. At a cost of \$12.99 per unit, it would cost \$129.90 to provide this service.

SCHOOLS: This area is already part of the Fort Wayne Community School System, Therefore, there would be no change in this service.

ASSESSED VALUATION:

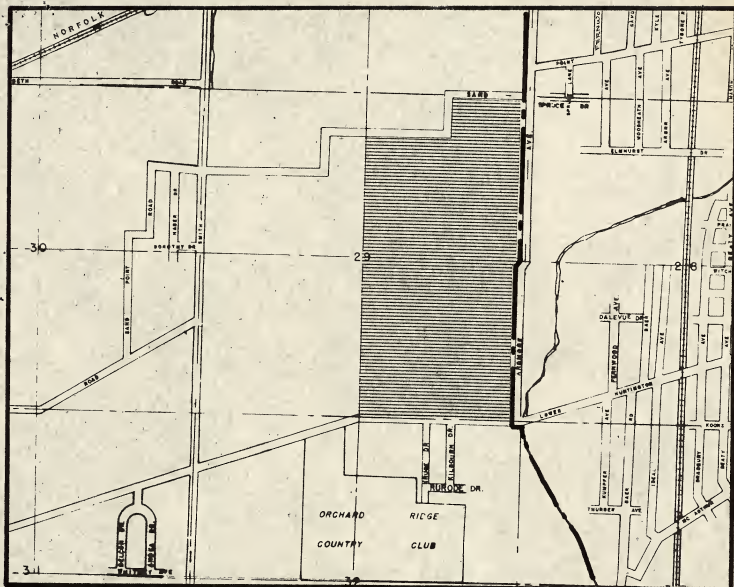
Land and Improvements	\$ 178,620.00
Privately Owned Utilities:	
Indiana & Michigan Electric Company	410.00
N I P S C O (Gas Company)	310.00
General Telephone	<u>810.00</u>
T O T A L	\$ 180,150.00

EXPECTED REVENUE:

Property Taxes (\$3.08 per \$100.00)	\$ 5,548.00
Alcoholic Gallonage Tax	47.25
Gasoline Tax	126.00
Cigarette Tax	<u>284.55</u>
T O T A L	\$ 6,005.80

SUMMARY:

<u>Services to be supplied</u>	<u>Expenditures</u>	
	<u>CAPITAL</u>	<u>OPERATING</u>
Police Protection	\$ -0-	\$ 437.50
Fire Protection	-0-	15,530.00
Fire Alarm Boxes	2,500.00	250.00
Street Lights	1,500.00	-0-
Garbage Collection	<u>-0-</u>	<u>129.90</u>
	\$ 4,000.00	\$ 16,347.40
NET ANNUAL DEFICIT TO CITY (After First Year)		\$ 10,341.60
CAPITAL EXPENDITURES		\$ <u>4,000.00</u>
NET ANNUAL DEFICIT TO CITY (First year)		\$ 14,341.60



— — — — — EXISTING CORPORATE LIMITS

▨▨▨▨▨▨▨ PROPOSED CORPORATE LIMITS

Common Council-City of Ft. Wayne  
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

99 lines.....columns wide equals.....equivalent lines at 288¢  
cents per line \$ 28.51

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 28.51

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 8, 1971

Title Clerk

Notice is hereby given that on the 15th day of December, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Ordinance, to-wit:

Bill No. X-70-09-24

ANNEXATION ORDINANCE  
NO. X-70-70  
AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit: Beginning at the point of intersection of the West right-of-way line of Ardmore Avenue and the North right-of-way line of Lower Huntington Road; thence Northerly along said West right-of-way of Ardmore Avenue as it existed on September 12, 1967, to the intersection of the South right-of-way line of Sand Point Road; thence Westerly along said Southerly right-of-way line of Sand Point Road to the point where it runs North and South; thence Southerly along the Easterly right-of-way line of Sand Point Road to the point where it runs East and West; thence Westerly along the Southerly right-of-way line to its intersection with the West line of the East one-half of Section 29, Township 30 North, Range 12 East; thence South along said West line of the East one-half of Section 29, Township 30 North, Range 12 East, to its intersection with the North right-of-way line of Lower Huntington Road; thence East along said North right-of-way line of Lower Huntington Road to its point of intersection with the West right-of-way line of Ardmore Avenue, said point being the point of beginning, containing 302.1 acres, more or less.

F  
ERE

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage, approved by the Mayor, and thirty days after the second publication thereof as provided by law.

Edwin J. Rousseau, Councilman.  
Read the third time in full and on motion by Rousseau seconded by Geese and duly adopted, placed on its passage. Passed by the following vote:

Ayes, seven: Adams, Dunifen, Geake, Nuckols, Rousseau, Steigerwald, Tipton.  
Nays, none.

Absent two, to-wit: Councilman Fay and Robinson.

Fuad G. Boneham, City Clerk.

Date: 12-19-70  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-70-70 on the 15th day of December, 1970.

ATTEST:  
Herbert G. Tipton, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1970, at the hour of 6:30 o'clock A.M., E.S.T.

Fuad G. Boneham, City Clerk.  
Approved and signed by me this 22nd day of December, 1970, at the hour of 4:08 o'clock P.M., E.S.T.

Harold S. Zets, Mayor.  
I, Fuad G. Boneham, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Annexation Ordinance No. X-70-70 passed by the Common Council on the 15th day of December, 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 22nd day of December, 1970 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of December, 1970.

SEAL Fuad G. Boneham, City Clerk.  
12-28 - 14

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman, who, being duly sworn, says that she is Clerk of the

NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

December 28, 1970

January 4, 1971

Subscribed and sworn to before me this 8th day of January 1971  
Edith Stapleton Notary Public

My commission expires March 8, 1974

Common Council—City of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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— number of equivalent lines

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Tail number of lines

Total number of lines in notice

-  
98  
1  
99

## COMPUTATION OF CHARGES

99 lines, columns wide equals equivalent lines at .288¢  
cents per line

\$ 28.51

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 28.51

## DATA FOR COMPUTING COST

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Size of type 5½ point

Number of insertions 2

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Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 8, 1971

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

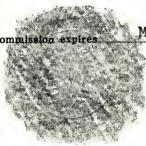
JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

December 28, 1970

January 4, 1971

Subscribed and sworn to before me this 8th day of January 1971

My commission expires March 8, 1974



Notice is hereby given that on the 15th day of December, 1970, the Common Council of the City of Fort Wayne, Indiana, in Regular Session, did pass the following Annexation Ordinance, to-wit:

Bill No. X-70-69-34  
ANNEXATION ORDINANCE  
NO. X-37-70  
AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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SECTION 3. This Ordinance shall be in full force and effect after its passage, approval by the Mayor, and thirty days after its second publication thereof as provided by law.

Edwin J. Rousseau, Councilman.  
Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:Ayes, seven: Adams, Dunfee, Geake, Nuckols, Rousseau, Steierwald, Tipton.  
Nays, none.  
Absent two, to-wit: Councilman Fay and Robinson.

Fuad G. Banahoom, City Clerk.

Date: 12-15-70.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-37-70 on the 15th day of December, 1970.

ATTEST: (SEAL)

Herbert G. Tipton, Presiding Officer.

Fuad G. Banahoom, City Clerk.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1970 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Banahoom, City Clerk.

Approved and signed by me this 22nd day of December, 1970, at the hour of 4:08 o'clock P.M., E.S.T.

Harold S. Zelt, Mayor.

I, Fuad G. Banahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the a-o-v-e and foregoing is a true, and complete copy of Annexation Ordinance No. X-37-70 passed by the Common Council on the 15th day of December, 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 22nd day of December, 1970 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of December, 1970.

(SEAL) Fuad G. Banahoom, City Clerk.

12-25 — 14